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*Attorneys for Plaintiff Byrna Technologies, Inc.*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

BYRNA TECHNOLOGIES, INC., a Delaware corporation,

Plaintiff,

vs.

DUKE DEFENSE USA, INC., a Delaware corporation; BOUGIEFIT, LLC, a Nevada limited liability company; ZYN APPAREL, a Delaware limited liability company; REILLY SCHUELER, an individual; BENJAMIN M. FLAM; an individual; JONATHAN COBB SANDERS, an individual; RANDALL CLIFTON, an individual; DENI STRAHL, an individual; BRAD THOMAS, an individual; APRIL WOODWARD, an individual; and TYLER AKIN, an individual,

Defendants.

Case No.: 2:21-cv-01559-APG-NJK

**STIPULATION AND ORDER EXTENDING THE:**

- (1) TEMPORARY RESTRAINING ORDER AS TO DEFENDANT FLAM; AND**
- (2) TIME FOR DEFENDANT FLAM TO RESPOND TO ECF NOS. 1 AND 14**

**(FIRST REQUEST)**

1 Plaintiff Byrna Technologies, Inc. (“Byrna” or “Plaintiff”), by and through its undersigned  
2 counsel, and Defendant Benjamin M. Flam, *pro se*, hereby stipulate and agree as follows:

3 1. Plaintiff filed a Complaint and Request for Injunctive Relief (ECF No. 1) and a Motion  
4 for Temporary Restraining Order (ECF No. 6) on August 23, 2021.

5 2. The Court issued a Temporary Restraining Order on August 24, 2021 and provided that  
6 if Plaintiff filed a new motion for a temporary restraining order or a motion for preliminary injunction,  
7 Defendants would have four business days thereafter to respond. ECF No. 10.

8 3. Defendant Flam was personally served with the Summons, Complaint, Motion for  
9 Temporary Restraining Order, and Temporary Restraining Order on August 24, 2021. His response to  
10 the Complaint is currently due on or before September 14, 2021.

11 4. Plaintiff filed its Motion for Preliminary Injunction on August 24, 2021. ECF No. 14.  
12 Defendants’ respective responses are therefore due by Monday, August 30, 2021.

13 5. Defendant Flam has notified Plaintiff’s counsel that he has an upcoming jury trial in the  
14 U.S. District Court, District of Massachusetts, which is expected to last approximately three weeks. As  
15 a result, he needs additional time to respond to Plaintiff’s Complaint, and Motion for Preliminary  
16 Injunction.

17 6. To accommodate Defendant Flam’s schedule, Plaintiff and Defendant Flam agree that:

18 a. Defendant Flam shall have until October 13, 2021 to file his responses, if any, to  
19 Plaintiff’s Complaint (ECF No. 1), and Plaintiff’s Motion for Preliminary  
20 Injunction (ECF No. 14).

21 b. Plaintiff shall have until October 20, 2021 to file its reply, if any, in support of its  
22 Motion for Preliminary Injunction.

23 7. Plaintiff and Defendant Flam further agree that the Temporary Restraining Order,  
24 including any amendment or supplement thereof by the Court, shall be binding upon and remain in full  
25 force and effect as to Defendant Flam, pursuant to Fed. R. Civ. P. 65(b)(2), until such time as the Court  
26 rules on Plaintiff’s Motion for Preliminary Injunction as it pertains to Defendant Flam.

27 8. Neither this Stipulation nor the extensions provided herein shall effect the Court’s ability  
28 to rule upon or grant the relief requested in Plaintiff’s Motion for Preliminary Injunction as it pertains

1 to other parties. Further, nothing in this Stipulation shall be construed as effecting the validity or  
2 effectiveness of the Temporary Restraining Order as to other parties. Moreover, the purpose of this  
3 Stipulation is for scheduling purposes only, and nothing in this Stipulation shall be construed to be an  
4 admission by any party, nor shall it be used for or against any party as it relates to the merits of any  
5 allegation in the case, including but not limited to the merits of the Temporary Restraining Order or  
6 Plaintiff's Motion for Preliminary Injunction.

7 DATED this 30<sup>th</sup> day of August, 2021.

8  
9 JACKSON LEWIS, P.C.

BENJAMIN M. FLAM

10 /s/ Joshua A. Sliker

/s/ Benjamin M. Flam

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*Defendant Pro Se*


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14 *Attorneys for Plaintiff*

15 *Byrna Technologies, Inc.*

16 IT IS SO ORDERED.

17  
18 

19 United States District Court Judge /  
20 United States Magistrate Judge

21 Dated: August 30, 2021